

(B) pedagogical knowledge of and success in teaching;

(2) offering such teachers opportunities to—
(A) work with one another in scholarly communities; and

(B) participate in and lead high-quality professional development; and

(3) providing such teachers with additional appropriate and substantial compensation for the work described in paragraph (2) and in the master teacher community.

(Pub. L. 89–10, title II, §2245, as added Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1952.)

PRIOR PROVISIONS

Prior sections 6675 to 6677 were repealed by Pub. L. 112–239, div. A, title V, §541(d)(1), Jan. 2, 2013, 126 Stat. 1735.

Section 6675, Pub. L. 89–10, title II, §2305, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1654, related to participation by States in the Troops-to-Teachers Program.

Another prior section 6675, Pub. L. 89–10, title II, §2305, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3635, related to technical assistance, prior to the general amendment of this subchapter by Pub. L. 107–110.

Section 6676, Pub. L. 89–10, title II, §2306, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1654, related to support of innovative preretirement teacher certification programs.

Another prior section 6676, Pub. L. 89–10, title II, §2306, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3635, related to matching funds from private sources, prior to the general amendment of this subchapter by Pub. L. 107–110.

Section 6677, Pub. L. 89–10, title II, §2307, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1655; amended Pub. L. 107–296, title XVII, §1704(e)(9), Nov. 25, 2002, 116 Stat. 2315, required a report not later than Mar. 31, 2006, on the effectiveness of the Troops-to-Teachers Program.

Prior sections 6681 to 6684 were repealed by Pub. L. 114–95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6681, Pub. L. 89–10, title II, §2311, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1655, set forth purposes of division B of subpart 1 of part C of former subchapter II of this chapter.

Section 6682, Pub. L. 89–10, title II, §2312, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1656, defined terms in division B of subpart 1 of part C of former subchapter II of this chapter.

Section 6683, Pub. L. 89–10, title II, §2313, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1656, related to transition to teaching grant program.

Section 6684, Pub. L. 89–10, title II, §2314, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1659, related to evaluation and accountability for recruiting and retaining teachers.

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

PART C—GENERAL PROVISIONS

§ 6691. Supplement, not supplant

Funds made available under this subchapter shall be used to supplement, and not supplant,

non-Federal funds that would otherwise be used for activities authorized under this subchapter.

(Pub. L. 89–10, title II, §2301, as added Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1953.)

PRIOR PROVISIONS

A prior section 6691, Pub. L. 89–10, title II, §2321, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1660, authorized appropriations for subpart 1 of part C of former subchapter II of this chapter, prior to repeal by Pub. L. 114–95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

A prior section 2301 of Pub. L. 89–10 was classified to section 6671 of this title, prior to repeal by Pub. L. 112–239.

Another prior section 2301 of Pub. L. 89–10 was classified to section 6671 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

§ 6692. Rules of construction

(a) Prohibition against Federal mandates, direction, or control

Nothing in this subchapter shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's—

(1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;

(2) teacher, principal, or other school leader evaluation system;

(3) specific definition of teacher, principal, or other school leader effectiveness; or

(4) teacher, principal, or other school leader professional standards, certification, or licensing.

(b) School or district employees

Nothing in this subchapter shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

(Pub. L. 89–10, title II, §2302, as added Pub. L. 114–95, title II, §2002, Dec. 10, 2015, 129 Stat. 1953.)

PRIOR PROVISIONS

A prior section 2302 of Pub. L. 89–10 was classified to section 6672 of this title, prior to repeal by Pub. L. 112–239.

Another prior section 2302 of Pub. L. 89–10 was classified to section 6672 of this title, prior to the general amendment of this subchapter by Pub. L. 107–110.

Prior sections 6701, 6702, 6711 to 6716, 6721, and 6722 were repealed by Pub. L. 114–95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6701, Pub. L. 89–10, title II, §2331, as added Pub. L. 107–110, title II, §201, Jan. 8, 2002, 115 Stat. 1660,

set forth purposes of subpart 2 of part C of former subchapter II of this chapter.

Another prior section 6701, Pub. L. 89-10, title II, §2401, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3635; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §101(b)(3)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-407, related to reporting and accountability, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6702, Pub. L. 89-10, title II, §2332, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1660, related to the National Writing Project.

Another prior section 6702, Pub. L. 89-10, title II, §2402, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3635; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §101(b)(4)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-407, defined terms used in this subchapter, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6711, Pub. L. 89-10, title II, §2341, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1662, provided that subpart 3 of part C of former subchapter II of this chapter could be cited as the “Education for Democracy Act”.

Section 6712, Pub. L. 89-10, title II, §2342, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1662, set forth purpose of subpart 3 of part C of former subchapter II of this chapter.

Section 6713, Pub. L. 89-10, title II, §2343, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1662, related to authority to award grants or enter into contracts.

Section 6714, Pub. L. 89-10, title II, §2344, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1663, related to We the People program.

Section 6715, Pub. L. 89-10, title II, §2345, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1664, related to cooperative civic education and economic education exchange programs.

Section 6716, Pub. L. 89-10, title II, §2346, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1666, authorized appropriations to carry out subpart 3 of part C of former subchapter II of this chapter.

Section 6721, Pub. L. 89-10, title II, §2351, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1666, related to establishment of the Teaching American History Grant Program.

Section 6722, Pub. L. 89-10, title II, §2352, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, authorized appropriations to carry out subpart 4 of part C of former subchapter II of this chapter.

A prior section 6731, Pub. L. 89-10, title II, §2361, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, which set out short title of the Paul D. Coverdell Teacher Protection Act of 2001, was renumbered section 8551 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7941 of this title.

A prior section 6732, Pub. L. 89-10, title II, §2362, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, which related to purpose, was renumbered section 8552 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7942 of this title.

A prior section 6733, Pub. L. 89-10, title II, §2363, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1667, which related to definitions, was renumbered section 8553 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7943 of this title.

A prior section 6734, Pub. L. 89-10, title II, §2364, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1668, which related to applicability, was renumbered section 8554 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7944 of this title.

A prior section 6735, Pub. L. 89-10, title II, §2365, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1668, which related to preemption and election of State nonapplicability, was renumbered section 8555 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7945 of this title.

A prior section 6736, Pub. L. 89-10, title II, §2366, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1668, which related to limitation on liability for teachers, was renumbered section 8556 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7946 of this title.

A prior section 6737, Pub. L. 89-10, title II, §2367, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1670, which related to allocation of responsibility for noneconomic loss, was renumbered section 8557 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7947 of this title.

A prior section 6738, Pub. L. 89-10, title II, §2368, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1670, which set out effective date, was renumbered section 8558 of title VIII of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(3)(A), (B), (D), title VIII, §8001(a)(7), Dec. 10, 2015, 129 Stat. 1913, 2088, 2089, and transferred to section 7948 of this title.

Prior sections 6751 to 6754, 6761 to 6766, 6771, 6672, and 6775 were repealed by Pub. L. 114-95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Section 6751, Pub. L. 89-10, title II, §2401, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1671, provided that part D of former subchapter II of this chapter could be cited as the “Enhancing Education Through Technology Act of 2001”.

A prior section 2401 of Pub. L. 89-10 was classified to section 6701 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6752, Pub. L. 89-10, title II, §2402, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1671, set forth purposes and goals of part D of former subchapter II of this chapter.

A prior section 2402 of Pub. L. 89-10 was classified to section 6702 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

Section 6753, Pub. L. 89-10, title II, §2403, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1672, defined terms.

Section 6754, Pub. L. 89-10, title II, §2404, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1673, authorized appropriations.

Section 6761, Pub. L. 89-10, title II, §2411, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1673, related to allotment and reallocation of funds.

Section 6762, Pub. L. 89-10, title II, §2412, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1674, related to use of allotment by State.

Section 6763, Pub. L. 89-10, title II, §2413, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1675, related to State applications.

Section 6764, Pub. L. 89-10, title II, §2414, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1677, related to local applications.

Section 6765, Pub. L. 89-10, title II, §2415, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1679, related to State activities.

Section 6766, Pub. L. 89-10, title II, §2416, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1680, related to local activities.

Section 6771, Pub. L. 89-10, title II, §2421, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1682, related to national activities.

Section 6772, Pub. L. 89-10, title II, §2422, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1682, related to national education technology plan.

Section 6775, Pub. L. 89-10, title II, §2431, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1683, related to Ready-to-Learn Television program.

A prior section 6777, Pub. L. 89-10, title II, §2441, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1686, which related to Internet safety, was renumbered section 4121 of title IV of Pub. L. 89-10 by Pub. L. 114-95, title II, §2001(a)(4)(A), (B), (D), title IV, §4001(a)(5)(D), Dec. 10, 2015, 129 Stat. 1913, 1966, and transferred to section 7131 of this title.

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

SUBCHAPTER III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

CODIFICATION

Pub. L. 114-95, title III, §3001(1), Dec. 10, 2015, 129 Stat. 1953, substituted “ENGLISH LEARNERS” for “LIMITED ENGLISH PROFICIENT” in subchapter heading.

Title III of the Elementary and Secondary Education Act of 1965, comprising this subchapter, was originally enacted as part of Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, amended, and subsequently revised, restated, and amended by other public laws. Title III is shown, herein, as having been added by Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1689, without reference to earlier amendments because of the extensive revision of the title’s provisions by Pub. L. 107-110. See Codification note preceding section 6301 of this title.

§ 6801. Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter—

- (1) \$756,332,450 for fiscal year 2017;
- (2) \$769,568,267 for fiscal year 2018;
- (3) \$784,959,633 for fiscal year 2019; and
- (4) \$884,959,633 for fiscal year 2020.

(Pub. L. 89-10, title III, §3001, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1689; amended Pub. L. 114-95, title III, §3002, Dec. 10, 2015, 129 Stat. 1953.)

PRIOR PROVISIONS

A prior section 6801, Pub. L. 89-10, title III, §3101, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3636, set out Short Title of prior subchapter III as the Technology for Education Act of 1994, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 3001 of Pub. L. 89-10 was classified to section 3021 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

AMENDMENTS

2015—Pub. L. 114-95 amended section generally. Prior to amendment, section consisted of subsecs. (a) to (c) relating to authorizations of appropriations, conditions on effectiveness of parts A and B of this subchapter, and references to parts A and B of this subchapter.

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114-95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as a note under section 6301 of this title.

PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT

§ 6811. Short title

This part may be cited as the “English Language Acquisition, Language Enhancement, and Academic Achievement Act”.

(Pub. L. 89-10, title III, §3101, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1690.)

PRIOR PROVISIONS

A prior section 6811, Pub. L. 89-10, title III, §3111, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3637, set forth findings, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 3101 of Pub. L. 89-10 was classified to section 6801 of this title, prior to the general amendment of this subchapter by Pub. L. 107-110.

§ 6812. Purposes

The purposes of this part are—

(1) to help ensure that English learners, including immigrant children and youth, attain English proficiency and develop high levels of academic achievement in English;

(2) to assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that all English learners can meet the same challenging State academic standards that all children are expected to meet;

(3) to assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, local educational agencies, and schools in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;

(4) to assist teachers (including preschool teachers), principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instructional programs designed to prepare English learners, including immigrant children and youth, to enter all-English instructional settings; and

(5) to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners.

(Pub. L. 89-10, title III, §3102, as added Pub. L. 107-110, title III, §301, Jan. 8, 2002, 115 Stat. 1690; amended Pub. L. 114-95, title III, §3003(a), Dec. 10, 2015, 129 Stat. 1954.)

PRIOR PROVISIONS

A prior section 6812, Pub. L. 89-10, title III, §3112, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3638, set forth purpose of former part A of this subchapter, prior to the general amendment of this subchapter by Pub. L. 107-110.

Prior sections 6813 to 6815 were omitted in the general amendment of this subchapter by Pub. L. 107-110.

Section 6813, Pub. L. 89-10, title III, §3113, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3639; amended Pub. L. 104-208, div. A, title I, §101(e) [title VII, §709(a)(1), (3)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312; Pub. L. 105-220, title II, §251(b)(2)(D), Aug. 7, 1998, 112 Stat. 1080, defined terms for purposes of prior subchapter III.